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## Appendix A Program Evaluations Completed in FY 2004

Evaluation Title and Scope	Findings of the Evaluation	Planned Response	Public Access
Goal I, Objective I  Air Quality Management in the United States  This report:  — Assessed the effectiveness of the major air quality provisions of the Clean Air Act (CAA) from a scientific and technical perspective and their implementation by federal, state, tribal, and local government agencies.  — Presented scientific and technical recommendations for strengthening the nation's air quality management (AQM) system with respect to the way it identifies and incorporates important sources of exposure to humans and ecosystems and integrates new understandings of human and ecosystem risks.	The National Academy of Sciences (NAS) concluded:  Implementation of the CAA has contributed to substantial decreases in emissions of several pollutants.  Air quality monitoring networks have confirmed that ambient pollutant concentrations, especially in urban areas, have decreased over the past three decades, and long-term atmospheric deposition monitoring has documented a reduction in sulfate deposition in the eastern United States.  Despite uncertainties, economic assessments of the overall costs and benefits of AQM in the United States indicated that implementation of the CAA has had and will probably continue to have substantial net economic benefits.  Scientific and technical limitations identified in the current AQM system will hinder future progress as the nation attempts to meet upcoming challenges.  To meet these challenges the Committee on Air Quality Management in the United States identified a set of long-term objectives that guide future improvements of the AQM system. AQM should strive to: identify and assess more clearly the most significant exposures, risks, and uncertainties; take an integrated multipollutant approach to controlling emissions of pollutants posing the most significant risks; take an infection of the controlling emissions of pollutants posing the most significant risks; take an	<ul> <li>EPA believes that the NAS's comprehensive, thoughtful report and recommendations contain reasonable long-term goals for AQM in the United States. EPA plans to use the report and recommendations as a framework for improving the current system.</li> <li>The findings are consistent with EPA's continuing efforts to provide Americans with cleaner air.</li> <li>EPA has applied multipollutant approaches and the cap-and-trade programs in the President's proposed Clear Skies Act and in EPA's recently proposed Interstate Air Quality Rule and mercury rule.</li> <li>EPA plans to continue its research on fine particles, including research that should improve the Agency's ability to relate benefits to specific fine particle reductions.</li> <li>EPA has launched programs, such as Clean School Bus USA, to retrofit existing diesel vehicles.</li> <li>EPA is working toward prioritizing air toxics so as to focus on those that are of concern in urban areas.</li> <li>EPA has supported legislation and is taking administrative steps that, together, will allow states to coordinate air quality plans for reducing ozone, fine particle, and regional haze pollution, rather than addressing each air pollution problem individually.</li> </ul>	Committee on Air Quality Management in the United States, National Academy of Sciences ISBN: 0-309-08932-8 January 2004 Available at: http://www.nap.edu/ catalog/ I0728.html

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	airshed-based approach by assessing and controlling emissions of important pollutants arising from local, multistate, national, and international sources; and emphasize results over process, create accountability for the results, and dynamically adjust and correct the system as data on progress are assessed.	<ul> <li>EPA agrees with the need to better integrate planning for various air pollutants. The CAA has a variety of programs with different time-frames and requirements, depending on the nature of the pollutant. EPA is working to integrate these programs as much as possible, given the statutory differences.</li> <li>EPA is working to develop new air indicators of ecological condition, building, where possible, on ongoing national long-term monitoring and assessment efforts (e.g., CASTNet, NADP, TIME/LTM).</li> </ul>	
Goal I, Objective I  Air Pollution: EPA Could Take Additional Steps to Help Maximize the Benefits from the 2007 Diesel Emissions Standards  This GAO report examined:  — The effectiveness of the accelerated (October 2002) deadline for 2004 Diesel Emissions Standards on industry and emissions.  — Stakeholders' views on the readiness of technology for the 2007 Diesel Emission Standards and EPA's efforts to ensure this.	<ul> <li>GAO found:</li> <li>Implementing the 2004 diesel emissions standards 15 months early disrupted some industries' operations. Concerned that the new engines would be costly and unreliable, some companies said they bought more trucks with old engines than planned before October 2002. While accelerating the schedule for new engines accelerated emissions benefits, it did not do so to the extent or the time frames anticipated. Because companies initially built more trucks with old engines and owners are now operating trucks longer, some of the expected emission reductions will likely be delayed.</li> <li>While EPA has taken a number of steps to aid the transition to the new diesel engines in accordance with the 2007 emission and fuel standards, some stakeholders would like more help. Engine, emission control, and fuel industry representatives stated that the needed technologies will be available on time.</li> </ul>	<ul> <li>EPA believes that, in many key respects, the report is consistent with the Agency's assessment of the situation leading up to implementation of the 2007 standards. The report accurately notes that "Stakeholders designing new emissions control, engine and fuel technologies say they will be ready." "All of the engine manufacturers reported that they expect to have engines ready by 2007." "The [fuel] representatives agreed that EPA should make no changes to the 2007 rules' implementation dates and low sulfur diesel fuel requirements." These statements—which reflect the views of the companies that must comply with the 2007 program—are consistent with our analysis of the progress that these industries have made in complying with the new standards.</li> <li>All major engine makers have committed to having test engines ready for customers by certain dates.</li> </ul>	Government Accountability Office GAO-04-3I3 March 2004 Available at: http://www.gao.gov/ new.items/d043I3.pdf
Goal I, Objective I  New Source Review Revisions: Stakeholder Views  GAO examined the revisions to the EPA New Source Review (NSR) program in October	GAO found:  — A majority of the 44 state air quality officials responding to the GAO survey believe that the December 2002 final rules will provide industry greater flexibility to modify facilities without having to install pollution controls in some cases.	— EPA agrees with GAO that the emissions data available to analyze the NSR revisions' impacts are limited.  — EPA had concerns about the methodology and some of the findings. Specifically, EPA is concerned that GAO: used the opinions expressed in the survey responses	Government Accountability Office GAO-04-274 February 2004 Available at: http://www.gao.gov/ new.items/d04274.pdf

## Evaluation Title Findings of the Evaluation Planned Response Public Access and Scope Stakeholders were divided on the as fact from which to draw conclu-A copy of the survey 2002 and December rules' impact on emissions and sions and make recommendations and detailed tables 2003 by surveying partagencies' workloads. A majority of ners and stakeholders on about the NSR program; did not showing the state and the impacts and potential officials also think that this flexibility ensure balance and objectivity; used local officials' responses effects of all the NSR will come at the cost of increases in a skewed survey sample; and to the questions in a emissions and agencies' workloads. should have evaluated whether the separate report are revisions. survey results were consistent with available: Survey of Other stakeholders believe the the facts cited in EPA's analyses of State and Local Air revisions in the final rule and the Quality Officials the revisions' effects. two proposed exclusions will Opinions on the decrease the regulatory burden on Impacts of the industry. Environmental Given the conflicting opinions of Protection Agency's state officials and stakeholders, Revisions to the Clean determining the likely impact of the Air Act's New Source revisions is difficult, primarily Review Program because few data exist to substanti-(GAO-04-337SP) ate opinions. In addition to recommendations included in GAO's earlier NSR-related reports, GAO recommends that EPA identify available data, or ways to obtain the data, to monitor the emissions impact of the NSR exclusion for routine equipment replacement. GAO also recommends that, before issuing a final rule on the proposed annual maintenance allowance, EPA consider the state officials' and stakeholders' concerns about the emission and workload impacts identified. Goal I, Objective 6 The National Research Council — EPA has acknowledged in its National Research (NRC) reported: response to the NRC the evolu-Council of the National Research Priorities for tion of the complexity of the PM Academies Airborne Particulate — Much has been learned since the science as documented in this Matter: IV. Continuing 1998 research investment, and the ISBN 0-309-09199-3 capstone report, generally agrees Research Progress evidence gained is already being with the recommendations, and is March 2004 used in decisions that will contincontinuing its research program This report examined: ue to be made, even with the Available at: to address the uncertainties and remaining uncertainties. — The extent to which challenges identified by the http://books.nap.edu/ catalog/10957.html completed and — Much is still to be learned, partic-Subcommittee. ongoing research is ularly in the area of — In response to NRC recommencharacterization of emission addressing gaps that dations, EPA is reviewing specific decision makers sources, air quality model develsteps and plans with the Agency's need to consider as opment and testing, and Clean Air Science Advisory they review the sciassessment of hazardous PM Committee. entific evidence components. - EPA is initiating in FY 2005 a relevant to the par-— A failure to invest in advancing mechanism for conducting periticulate matter (PM) the understanding of PM would odic independent expert reviews National Ambient result in not taking full advantage of its research programs, which Air Quality of the substantial investment to will qualitatively assess reductions Standards date and the nation's ability to in scientific uncertainty, as well as (NAAQS). make evidence-based health polithe quality, relevance, and percy and air quality regulatory formance of each program. choices in the future.

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	— The NRC identified seven specific scientific challenges and three management of science challenges that need careful attention as the PM research program continues, and indicated that some progress has been made in addressing these challenges.		
Goal 2, Objective I  Drinking Water: Experts' Views on How Future Federal Funding Can Best Be Spent to Improve Security  The purpose of this evaluation was:  —To report to Congress on the views of national experts concerning drinking water security, including serious vulnerabilities of drinking water systems, criteria for allocating federal funds among systems to improve security, and activities that most warrant federal support to mitigate the risk of terrorism.	GAO reported:  Distribution systems are among the most vulnerable physical components of drinking water utilities, as well as computer systems that manage critical utility functions, treatment chemicals stored on site, and source water supplies.  Individual utilities have insufficient information to identify threats and lack of redundancy in vital system components as vulnerabilities.  Activities most deserving of support included: physical and technological upgrades, education and training to support simulation exercises, and strengthening relationships between water utilities and other agencies.  Direct federal grants or the Drinking Water State Revolving Fund (DWSRF) should be used to improve security and should be aimed at utilities' vulnerability assessments.	<ul> <li>EPA has agreed to consider the national experts' views should Congress appropriate additional funds for water security.</li> <li>EPA is currently considering the use of a federal grant program, which is different from the existing DWSRF program in that it would exclusively fund security upgrades and provide grants directly to water systems. The DWSRF generally provides loans for a diverse array of projects through individual state DWSRF programs.</li> <li>EPA has recently provided guidance on the types of security-related projects that are eligible for Clean Water and Drinking Water State Revolving Fund assistance and has undertaken several of the activities identified in the report (e.g., extensive technical training and research into contaminant detectors).</li> </ul>	Government Accountability Office GAO-04-29 October 2003 Available at: http://www.gao.gov/ new.items/d0429.pdf
Goal 2, Objective I  Impact of EPA and State Drinking Water Capacity Development Efforts Uncertain  The OIG examined:  — EPA and state formulation and initial implementation of capacity development programs.  — The extent to which such programs have been formulated and initially implemented, consistent with the requirements and overall objectives of the Safe Drinking Water Act (SDWA).	<ul> <li>OIG reported:</li> <li>With assistance from EPA, states designed capacity development strategies that generally met the requirements of the 1996 SDWA Amendments.</li> <li>OIG recommended:</li> <li>Development of a national capacity strategy that promotes technical, managerial, and financial capacity in a proactive, integrated, flexible, and accountable way and provides additional guidance accordingly.</li> <li>Revision of 40 CFR 35.3515 (DWSRF withholding regulations) to provide more specific criteria that will allow EPA to conduct meaningful annual assessments of state capacity development strategies.</li> </ul>	<ul> <li>EPA has agreed to develop a national comprehensive evaluation tool for the regions to use when reviewing state reports to promote and improve national consistency of state program implementation.</li> <li>The tool will help EPA to analyze and review information more consistently and will a better equip the Agency for assessing program success at the national level.</li> <li>Once the tool is developed, EPA will assess whether national-level goals are appropriate for the capacity development program, in addition to the measures for the drinking water program as a whole.</li> </ul>	EPA Office of the Inspector General No. 2003-P-00018 September 30, 2003 Available at: http://www.epa.gov/oigearth/reports/2003/2003-p-00018-20030930.pdf

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— How states are integrating capacity development, together with other SDWA initiatives and drinking water program activities, to assist community water systems to consistently achieve the SDWA's health objectives.	— Development of a comprehensive evaluation tool to assess implementation of states' capacity development strategies, and that the tool be required for regions to use as part of their oversight responsibilities.  — Identification of common measures to develop/implement performance goals and determine what common capacity development data are available to support such measures, without burdening the states and utilities.	— FPA's data verifications audits and	FPA Office of the
Goal 2, Objective I  EPA Claims to Meet Drinking Water Goals Despite Persistent Data Quality Shortcomings  The purpose of this report was to:  — Evaluate the drinking water performance measure and deter- mine how "incomplete or inac- curate" drinking water data affects this measure.  — Determine what actions EPA has taken to ensure that drinking water data collected and distrib- uted to the public are reliable and valid.	<ul> <li>OIG reported:</li> <li>EPA's drinking water performance reporting in recent annual performance reports might have been skewed by data inconsistencies in SDWIS/FED.</li> <li>OIG suggested:</li> <li>EPA and the states should continue to move forward in correcting data deficiencies.</li> <li>EPA should account for missing and inaccurate data when reporting performance under the Government Performance and Results Act to compensate for data reliability concerns.</li> </ul>	associated analyses indicate that data in SDWIS/FED are highly accurate with very few errors, but are still incomplete.  — EPA and the states have made significant progress in improving the quality of data.  — EPA's "Drinking Water Data Reliability Analysis and Action Plan" (2003) highlights the Agency's continuing efforts and additional steps EPA will take in partnership with states to further improve the data's reliability.  — EPA will continue to engage in discussions with states regarding potential new approaches for reporting drinking water data.	Inspector General No. 2004-P-0008 March 5, 2004 Available at: http://www.epa.gov/oig earth/reports/2004/200 40305-2004-P-0008.pdf
Goal 2, Objective I  States Making Progress on Source Water Assessments, But Effectiveness Still to Be Determined  — The Source Water Assessment Program (SWAP) is intended to encourage states to form voluntary, mutually beneficial partnerships to develop source water protection strategies.	OIG reported:  — SWAP appears to have been beneficial.  — While states approached it differently, there is consensus that the information obtained through the assessment process and the quality of the assessments themselves can lead to protection efforts and be incorporated into other water quality management programs.  — Most states used a wide variety of available information sources to develop the assessments.  — Recommendations were: (1) EPA and states should finalize the	— EPA generally agreed with the IG's recommendations and is in the process of developing appropriate corrective actions.	EPA Office of the Inspector General No. 2004-P-00018 May 27, 2004 Available at: http://www.epa.gov/oig earth/reports/2004/200 40527-2004-P-00019.pdf

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The purpose of this report was to:  — Evaluate the status of source water assessment submissions.  — Determine if source water assessments are fulfilling the needs of the program.  — Determine how the success of the program is measured.	SWAP measures and reporting requirements; (2) EPA should revisit the state agency concerns raised in this report, solicit and evaluate alternatives, and resolve the concerns to the satisfaction of the group; (3) EPA should continue its effort to develop and issue guidance for states on what information is appropriate for release to the public.		
Goal 2, Objective 2  Water Infrastructure: Comprehensive Asset Management Has Potential to Help Utilities Better Identify Needs and Plan Future Investments  GAO examined:  — The potential benefits of comprehensive asset management for drinking water and wastewater utilities and the challenges that could hinder its implementation, and the role that the federal government might play in encouraging utilities to implement asset management.	<ul> <li>GAO found:</li> <li>Utilities see benefits from using comprehensive asset management, but face implementation challenges.</li> <li>GAO recommends that EPA:</li> <li>Better coordinate ongoing/planned initiatives to promote asset management within and across the drinking water and wastewater programs.</li> <li>Explore opportunities to take advantage of asset management tools/informational materials developed by other federal agencies.</li> <li>Strengthen efforts to educate utilities on how implementing asset management can help them comply with certain regulatory requirements.</li> <li>Establish a web site to provide a central repository of information.</li> </ul>	<ul> <li>EPA agrees with GAO's findings and believes there are significant benefits to be realized by further adoption of asset management practices. The federal government can do much to encourage utilities to implement asset management.</li> <li>The Agency has already engaged in a series of collaborative and training-related efforts with utilities on asset management.</li> <li>EPA will implement a sustainable infrastructure strategy to enhance the operating efficiencies of water and wastewater systems, which will focus on better management, water efficiency, full-cost pricing, and the watershed approach.</li> </ul>	Government Accountability Office GAO-04-46I March 19, 2004 Available at: http://www.gao.gov/ new.items/d0446I.pdf
Goal 2, Objective 2  Program Enhancements Would Better Ensure Adequacy of Boat Pumpout Facilities in No- Discharge Zones  This report examined:  — EPA's process for determining the ade- quacy of facilities to remove and treat sewage in proposed no-discharge zones (NDZs).  — The extent to which EPA and the states	<ul> <li>GAO reported:</li> <li>EPA's process for determining whether adequate facilities are reasonably available could be improved.</li> <li>There is no EPA oversight and limited state oversight of pumpout facilities after NDZs are established.</li> <li>The Coast Guard limits its enforcement of no-discharge prohibitions to the three federally designated NDZs; it does not enforce them in the 56 state-designated zones.</li> <li>A number of EPA, state, and local officials believe that water quality</li> </ul>	<ul> <li>EPA recently completed a survey of 958 boaters and 69 marinas from 15 coastal and Great Lakes NDZs around the country to obtain information about pumpout availability, pumpout use, and NDZ awareness. A majority of the respondents reported favorably as to the adequacy, availability, accessibility, and functionality of pumpout facilities.</li> <li>EPA has initiated work to develop national guidance to assist the EPA regional offices in improving the evaluation of pumpout adequacy in proposed NDZs and to better maintain adequate pumpout capability in existing NDZs.</li> </ul>	Government Accountability Office GAO-04-6l3 May 2004 Available at: http://www.gao.gov/ new.items/d046l3.pdf

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ensure that adequate facilities remain available after designation.  — The extent to which the U.S. Coast Guard and states enforce discharge prohibitions.  — Various effects of NDZs, as identified by EPA, states, and localities.	and environmental stewardship have improved after designation of these zones.		
Goal 2, Objective 2  Watershed Management. Better Coordination of Data Collection Efforts Needed to Support Key Decisions  GAO examined the water quality monitoring efforts supported by EPA and I5 other agencies  Specifically, GAO was asked to determine:  — The key entities that collect water quantity data, including the types of data they collect, how they store their data, and how entities can access the data.  — The extent to which these entities coordinate their water quantity data collection efforts.	<ul> <li>GAO found:</li> <li>The availability of timely, reliable, and complete data about the nation's waters has significant environmental and financial implications.</li> <li>More efficient coordination of data collection efforts could improve the quality of the data and provide more information for decision making.</li> <li>GAO listed three actions for congressional consideration:</li> <li>Support for the development and continued operation of regional and state monitoring councils.</li> <li>Coordination of the development of an Internet-based clearinghouse (e.g., a geospatial Internet-based query tool) to convey information on entities collecting data and what types of data are available within a given watershed.</li> <li>Coordination of the development of clear guidance on metadata standards so that data users can integrate data from various sources.</li> </ul>	<ul> <li>EPA is working with other agencies to address each of these issues.</li> <li>EPA has helped to create and support several of the eight state and regional water monitoring councils that exist today, which model the coordination efficiency GAO recommends in its report.</li> <li>EPA, working with the U.S. Geological Survey (USGS), has begun to implement an Internet portal that will give access to water quality data housed in the two large agency water quality data systems.</li> <li>EPA, working with USGS, is initiating a project to demonstrate the integration of data from many sources for use in watershed management efforts.</li> <li>EPA, working with many federal agencies through the National Water Quality Monitoring Council, has defined and adopted a set of metadata elements to help ensure the comparability of data from disparate sources.</li> </ul>	Government Accountability Office GAO-04-382 June 2004 Available at: http://www.gao.gov/ new.items/d04382.pdf
Goal 2, Objective 3  Effectiveness of Effluent Guidelines Program for Reducing Pollutant Discharges Uncertain  The objectives of the evaluation were to determine:  — To what extent EPA's effluent guide- lines development	OIG found that the effluent guide-lines program experienced the following changes over the past decade:  — broader range of pollutants,  — broader array of industries,  — more effluent guidelines promulgated.  Indicators of the program's success include whether:	<ul> <li>EPA will:</li> <li>Conduct a retrospective analysis of several guidelines to determine their effectiveness, using an approach similar to OIG's.</li> <li>Determine the usefulness of comparing sampling data collected during guideline revision with the data collected during the original promulgation.</li> <li>EPA's Office of Water will continue to develop the tools described in</li> </ul>	EPA Office of the Inspector General Record No. 2004-P-00025 August 24, 2004 Contact: Dan Engelberg, Director of Program Evaluation, Water Issues, OIG 202/566-0830

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process has changed over time.  — How effectively effluent guidelines are used to reduce pollutant loadings.  — The extent to which EPA measures the effectiveness of the effluent guidelines program.	<ul> <li>Guidelines were used in the National Pollutant Discharge Elimination System permits analyzed.</li> <li>Limits in reissued permits were derived from effluent guidelines to a very large extent.</li> <li>Indicators of the program's impact remain uncertain:</li> <li>EPA does not measure the effectiveness of the effluent guidelines program or of individual effluent guidelines.</li> <li>Data were not available to determine actual reductions in pollutant discharges.</li> </ul>	the Permitting for Environmental Results Strategy that are responsive to the conclusions of this report.	Renee McGhee-Lenart Project Manager, OIG 913/551-7534 Available at: http://www.epa.gov/oig/ reports/2004/20040824- 2004-P-00025.pdf
Goal 2, Objective 3  Evaluation of the Analytical Methods Review and Approval Program  The objectives of the evaluation were to assess the effectiveness of program/process for:  — Reviewing alternative test procedures for use by the regulated community to comply with monitoring requirements.  — Updating or revising existing analytical methods or approving improved or new analytical methods in the Code of Federal Regulations.  — Stakeholder outreach and communication.  The study also planned to identify short-term and long-term improvements to address the needs of all stakeholders.	The evaluation found that the Analytical Methods Program:  — Has been successful in meeting the requirements of the Effluent Guidelines program.  — Has lacked the visibility and resources to successfully meet the needs of external stakeholders regarding the review and approval of new methods. This has slowed down the use of more efficient technologies.  — Needs to take a more strategic role in coordination with all stakeholders and long-term planning.	<ul> <li>The Office of Science and Technology (OST) received the final report in September 2004. The findings are currently being evaluated and will be used in the development of a 5-year analytical methods strategy.</li> <li>OST will seek input from other Office of Water offices and regional methods contacts to develop the strategy.</li> </ul>	SRA International, Inc.; Industrial Economics, Inc.  September 2004  EPA Contact: Meghan Hessenauer Office of Science and Technology 202 566-1040
Goal 3, Objective 2  Immediate Action Needed to Address Weaknesses in EPA Efforts to Identify Hazardous Waste Sites in Indian Country	OIG reported:  — Some delays were caused by mismanagement by a grantee.  — EPA had not sufficiently defined its data needs for the inventory.	<ul> <li>EPA has:</li> <li>— Agreed to continue close oversight of the grantee.</li> <li>— Taken steps to improve communication of information needs to the grantee.</li> </ul>	EPA Office of the Inspector General Report No. 2004-P- 00003 January 30, 2004

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OIG examined:  — EPA's efforts to develop an inventory of hazardous waste sites on Indian lands.  — EPA's methodology to get tribal input to the inventory.	<ul> <li>— Problems with the grantee's methodology may preclude development of an accurate and reliable inventory.</li> <li>— EPA did not have a sufficient plan for validating, managing, storing, or updating the inventory.</li> </ul>	<ul> <li>— Provided technical assistance to the grantee to help develop a clear management plan.</li> <li>— Begun working with the grantee to address data management and data quality issues.</li> </ul>	Available at: http://www.epa.gov/oig/ reports/2004/20040I30- 2004-p-00003.pdf
Goal 3, Objective 2  Superfund: Building on the Past, Looking to the Future (120-day Study)  This report examined:  — The Superfund program to identify opportunities for program efficiencies that would enable the Agency to begin and ultimately complete more long-term cleanups with current resources.	The report found that overall, the program is strong and diverse and continues to strive to meet high expectations.  — The report contains IO2 recommendations, which are intended to improve a program that is fundamentally sound and does not need a major overhaul. The recommendations can be grouped into the following key areas:  — Provide leadership and vision.  — Build on past successes.  — Continue to build a better, more effective program.  — Improve the use and management of Agency resources.  — Improve communications and program accountability.  — Make purposeful resource shifts to better link organizational structure with program needs.	— The Agency has convened a Board of Directors, as recommended by the study, and is currently evaluating the recommendations and drafting work plans to address them.	U.S. Environmental Protection Agency April 22, 2004 Available at: http://www.epa.gov/superfund/news/120daystudy.pdf
Goal 3, Objective 2  National Advisory Council for Environmental Policy and Technology (NACEPT) Final Report  The purpose of this report was to:  — Reach consensus- based recommendations on three major issues: (1) the role of the National Priorities List (NPL), (2) the role of Superfund "mega-sites, and (3) measurement of pro- gram performance.	NACEPT reported:  The Subcommittee developed 17 consensus-based recommendations on how the Agency could improve its operations.	<ul> <li>The Agency is evaluating the recommendations to determine the specific actions that will be taken.</li> <li>The Agency is working to prioritize the listing and funding of sites using a consistent set of factors, to make sure to only refer sites that must be handled by Superfund to the NPL, and to provide better information to the public on accomplishments and distinguish megasite progress from non-megasite progress. EPA is also developing an institutional control tracking system and a strategic plan for addressing institutional control issues.</li> </ul>	Superfund Subcommittee of the National Advisory Council for Environmental Policy and Technology April 12, 2004 Available at: http://www.epa.gov/ oswer/docs/ naceptdocs/ NACEPTsuperfund- Final-Report.pdf

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Goal 4, Objective I  Substantial Progress Made, But Further Actions Needed in Implementing Brownfields Program  The purpose of this evaluation was to:  — Assess the first year of implementation of the Brownfields pro- gram, and effectiveness in insti- tuting major program compo- nents.  — Review EPA's success in identifying and securing resources for carrying out the expanded Brownfields pro- gram.	OIG reported:  — Stakeholders have generally been pleased with the program.  — There are some concerns about the clarity, timeliness, and sufficiency of guidance to regions and grant applicants.  — There is limited opportunity for feedback from regional offices during grant review.  — The process for determining applicant and site eligibility is not well defined or documented.  — Property ownership deadlines are not being met.  — It is difficult to assess the program's environmental performance.	<ul> <li>EPA has held training sessions and conference calls during FY 2004 to improve and enhance guidance.</li> <li>EPA has streamlined the grant application process, from two steps to one step.</li> <li>EPA has begun developing a process for conducting a more detailed evaluation of applicant/site eligibility, on a sample basis.</li> <li>EPA has decided not to extend property ownership deadlines this year.</li> <li>EPA has begun developing a process to use property profiles to assess program performance.</li> </ul>	EPA Office of the Inspector General Report No. 2004-P-0020 June 2I, 2004 Available at: http://www.epa.gov/oig/reports/2004/2004062I-2004-P-0020.pdf
Goal 4, Objective I  Preliminary Assessment of the Premanufacture Notice Review Program  The purpose of this evaluation was to examine:  — The structure and function of Premanufacture Notice (PMN) program.  — The perceptions of program employees as to the program's effectiveness.  — Possible program improvements.  — Areas for further investigation.	<ul> <li>The evaluation identified methods of tracking program expenditures that could be improved.</li> <li>Since many chemicals submitted as PMNs are never manufactured commercially, benefits could be gained from identifying features of PMNs that correlate well with subsequent filing of Notices of Commencement of Manufacturing.</li> <li>Employees cited receipt of incomplete or inaccurate data as the primary cause of program delays.</li> <li>Assessment of internal bottlenecks, industry issues, and scientific assessment process could provide benefits.</li> </ul>	<ul> <li>EPA initiated Phase II of the evaluation to:</li> <li>Determine methods for tracking program expenditures.</li> <li>Develop more detailed cost information covering a longer period of time to support development of efficiency measures (measure development occurring under a separate project).</li> <li>EPA will assess the need for conducting a third phase of this evaluation, pending review of the Phase II report in the second or third quarter of FY 2005.</li> </ul>	Industrial Economics, Inc.  September 2004 Interim Report  This is an internal EPA report and is not publicly available.
Goal 4, Objective I  Pesticide Environmental Stewardship Program  The purpose of this evaluation was to:	The evaluation recommended:  — Improving the effectiveness of strategy development by aligning grants with risk reduction priorities; providing additional training to liaisons on how to best assist members; and creating a	— EPA will develop an action plan for addressing the recommenda- tions.	Industrial Economics, Inc. July 2004 This is an internal EPA report and is not pub- licly available.

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and Scope	Findings of the Evaluation	Planned Response	Public Access
<ul> <li>Maximize value of the Pesticide Environmental Stewardship Program (PESP) to EPA and participants.</li> <li>Assess what makes the program successful.</li> <li>Assess what needs improvement or redesign.</li> <li>Assess the effectiveness of the strategy development process.</li> <li>Evaluate the capacity of PESP liaisons to further program goals.</li> <li>Determine how to implement strategies more effectively.</li> </ul>	performance measurement clearinghouse.  — Increasing program support with additional travel and training funds.  — Facilitating the implementation of effective strategies by reinstating the annual meeting; promoting PESP in trade journals; and creating a searchable database of reduced risk grant projects.  — Providing additional member benefits, such as publicizing champion awards; providing more intensive assistance with grant applications; reenlisting inactive members and providing additional incentives for members; and considering umbrella memberships for trade associations.		
Goal 4, Objective 2  Water and Wetlands: Corps of Engineers Needs to Evaluate Its District Office Practices in Determining Jurisdiction  The purpose of this evaluation was to describe the:  — Regulations and guidance used to determine jurisdictional waters and wetlands and related developments since 2001 Solid Waste Agency of Northern Cook County vs. U.S. Army Corp of Engineers case which struck down the migratory bird rule.  — Extent to which the U.S. Army Corps of Engineers district offices vary in their interpretation of	GAO reported:  — EPA and Corps regulations defining waters of the United States leave room for interpretation by Corps districts when considering (1) adjacent wetlands, (2) tributaries, and (3) ditches and other man-made conveyances.  — Corps districts differ in how they interpret and apply the federal regulations when determining which waters and wetlands are subject to federal jurisdiction.  GAO recommends that the Corps and EPA:  — Survey district office practices,  — Evaluate whether and how to resolve differences, and  — Require districts to document practices and make information publicly available.	<ul> <li>EPA and the Corps are:</li> <li>Jointly evaluating proposed jurisdictional determinations subject to review under EPA and Corps of Engineers guidance issued in 2003.</li> <li>Sharing information on determinations of no Clean Water Act jurisdiction.</li> <li>Making more information on jurisdictional calls available to the public.</li> <li>Pursuing development of guidance and/or training to promote consistency in problem areas.</li> </ul>	Government Accountability Office GAO-04-297 February 2004 Available at: http://www.gao.gov/ new.items/d04297.pdf

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these regulations and guidance, document their practices, and make this informa- tion available.			
Goal 4, Objective 2  Toxics Release Inventory System Can Improve Industrial User Reporting and Metal Transfers Identification  The purpose of this report was to:  — Evaluate the process used to report transfers of pollutants to publicly owned treatment works (POTWs).  Goal 4, Objective 2  EPA Needs to Consistently Implement the Intent of the Executive Order on Environmental Justice  The purpose of this report was to determine how:  — EPA is integrating environmental justice into its day-to-day operations.  — The Agency implemented Executive Order 12898 and integrated its concepts into EPA's regional and head- quarters offices.  — Environmental justice	OIG recommended four items for improvement:  — Correct the Toxic Release Inventory (TRI) database using OIG work as support for the changes.  — Use auditing software to flag spikes and overall pollutant increases or decreases for future evaluation.  — Determine whether TRI Form R should be revised to reduce industry completion errors.  — Add a column to TRI Explorer reports showing metals/metal compound transfers to POTWs.  OIG found:  — EPA has neither fully implemented Executive Order 12898 nor consistently integrated environmental justice into its day-to-day operations.  — EPA has not identified minority and low-income populations or populations addressed in the Executive Order, and has neither defined nor developed criteria for determining disproportionately affected populations.  — The Agency restated its commitment to environmental justice in 2001 in a manner that does not emphasize minority and low-income populations, which is the intent of the Executive Order.	<ul> <li>Database corrections cannot be unilaterally made by EPA/TRI. Facilities have been contacted with requests for corrected input.</li> <li>TRI-ME software and Facility Data Reports (FDRs) are being enhanced to include historical trend data. FDR enhancement available FY 2004.</li> <li>Form A and R modifications were considered as part of the Information Collection Request renewal process.</li> <li>TRI Explorer currently has the suggested POTW information.</li> <li>EPA disagrees with the central premise that Executive Order 12898 requires the Agency to identify and address the environmental effects of its programs on minority and low-income populations.</li> <li>EPA believes it is complying with the spirit and the letter of Executive Order 12898.</li> </ul>	EPA Office of the Inspector General Report No. 2004-P-00004 November 17, 2003 Available at: http://www.epa.gov/oig/reports/2004/20040202-2004-P-00004.pdf  EPA Office of the Inspector General Report No. 2004-P-00007 March I, 2004 Available at: http://www.epa.gov/oig/reports/2004/20040301-2004-P-00007.pdf
the regional levels and what is their impact.			
Goal 4, Objective 2  The Effectiveness of the Office of Children's Health Protection Cannot Yet Be Determined Quantitatively  The purpose of this report was to determine:	OIG reported:  — There is no overall, coordinated strategy integrating children's environmental health efforts into the Agency as a whole and no active communication process in place among the program offices and OCHP.	<ul> <li>EPA will expedite the appointment of a permanent Director for OCHP.</li> <li>EPA will establish an official children's health contact within each media program office to improve coordination and communication.</li> </ul>	EPA Office of the Inspector General Report No. 2004-P- 00016 May 17, 2004

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<ul> <li>EPA's agenda for fostering children's health and how the Office of Children's Health Protection (OCHP) ensures its achievement.</li> <li>The impediments to OCHP's ensuring the achievement of the Agency's National Agenda to Protect Children's Health from Environmental Threats.</li> <li>How well OCHP's plan coordinates children's health activities within the Agency.</li> </ul>	— OCHP has no formal mechanism in place to ensure performance results or assess the relationships among program costs, activities, and results.	— EPA will direct OCHP to make improvements to its annual planning process to include a methodology to set priorities to ensure resources are being allocated to problems that pose the greatest environmental risks to children, as well as periodic meetings with the program offices.	Available at: http://www.epa.gov/oig/ reports/2004/200405I7- 2004-P-000I6.pdf
Goal 4, Objective 5  EPA's Final Water Security Research and Technical Support Action Plan May Be Strengthened Through Access to Vulnerability Assessments  The purpose of this report was to determine whether:  — Vulnerability Assessments (VAs) submitted to EPA by water utilities adequately address all the components required by the Bioterrorism Act and whether correlations can be found between utility characteristics and VA content.  — VAs are an appropriate tool for EPA to use in setting a baseline for water security performance measurement and in prioritizing water security activities.	OIG reported:  — The Office of Research and Development (ORD) should access utility VAs to validate its research priorities.  — Problems may exist in the VAs, especially in (I) identifying and prioritizing specific threats, particularly terrorist scenarios; and (2) assessing the full breadth of a water system's infrastructure, particularly the distribution system.	<ul> <li>EPA will immediately grant responsibility to ORD officials for developing, prioritizing, and implementing critical water security research projects access to VAs provided by utilities. Once granted access, appropriate ORD officials should review the VAs to determine the extent to which EPA's Research Action Plan addresses utilities' most significant vulnerabilities.</li> <li>EPA will immediately request access to a sample of vulnerability assessments to enable it to more effectively formulate questions for contractor review, and Office of Water should expedite a contract amendment to have the contractor address ORD's additional questions.</li> </ul>	EPA Office of the Inspector General Report No. 2004-P00023 July I, 2004 Available at: http://www.epa.gov/oigearth/reports/2004/2004070I-2004-P-00023.pdf

## Planned Response Findings of the Evaluation and Scope Goal 5, Objective I OIG reported: EPA will continue to develop and EPA Office of the articulate appropriate goals and Inspector General EPA Needs to Improve - The Office of Enforcement and performance measures. No. 2004-P-0002I Tracking of National Compliance Assistance's - EPA will provide additional train-Petroleum Refinery (OECA's) performance measure-June 22, 2004 ing at the regional level, and Compliance Program ment and reporting approach for empower regional experts to Progress and Impacts the national petroleum refinery Available at: review and respond to company Report program did not provide useful http://www.epa.gov/ reports. and reliable information necessary oigearth/reports/2004/ The purpose of this to effectively implement, manage, EPA agrees with the need for 20040622-2004-Pevaluation was to evaluate, and improve the pronational enforcement priorities to 00021.pdf determine: be managed by a senior enforcegram. ment official. - Whether EPA effec-- OECA did not clearly and pretively implements cisely define official program goals OlG's recommendations were and measures, or ensure the goals considered when OECA develand manages the oped the FY 2005 - 2007 National petroleum refinery were clearly and consistently shared. As a result, OECA did program. Priority Performance-Based not have a consensus on what Strategy for the petroleum refin-— The nature and the program goals were. Existing ing sector. extent of the regu-EPA performance measurement lated petroleum The recommendations with and reporting systems were inefrefinery universe. which OECA agreed or partially fective for monitoring or agreed have been addressed by — The extent that EPA, reporting refinery program perthe Performance-Based Strategy the Department of formance. for the petroleum refining sector, Justice, and its partother activities related to the ners are working to petroleum sector work, and the develop an integratoverall national priority strategy ed strategy to development process. address priority noncompliance problems at petroleum refineries. — Whether the performance measurement and reporting approach for petroleum refineries provides the information necessary to effectively implement, manage, evaluate, and improve the OECA's petroleum refinery program. Goal 5, Objective I The evaluation found: - Implementing the identified U.S. Environmental opportunities for improvement Protection Agency Measuring the Toxics — Case studies and limited technical will significantly improve DEQ's Use and Waste assistance follow-up information May 5, 2004 ability to measure and report on Reduction Assistance indicate that technical assistance the environmental outcomes. Available at: Program (TUWRAP's) site visits are resulting in positive - EPA Region 10 and Oregon DEQ http://www.epa.gov/ Influence environmental outcomes. are working on an implementaevaluate/tuwrap l.pdf However, the available data do tion plan to further incorporate The purpose of this not support drawing conclusions Also available by TUWRAP into the overall comevaluation was to: about the range, scope, or regurequest through the pliance program. larity of the environmental - Determine the **Evaluation Support**

improvements.

impact that

Division:

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TUWRAP has on hazardous waste handler compliance in Oregon.  — Identify the environmental outcomes of the program.  — Identify the costs (range, per "unit") associated with TUWRAP compliance inspections.  — Determine how program effectiveness should be measured.  — Determine how Oregon's Department of Environmental Quality (DEQ) and EPA Region IO can strategically integrate TUWRAP with the authorized hazardous waste program's enforcement strategy to help achieve EPA's Goal 5 compliance improvement objectives.	— DEQ has detailed plans to routinely track technical assistance and inspection environmental outcomes when the next phase of the Oregon Hazardous Waste Information Management Exchange database implementation is complete.		http://www.epa.gov/evaluate/feedback.htm
Goal 5, Objective I  Comprehensive Review of the Office of Criminal Enforcement, Forensics and Training.  The former Assistant Administrator of OECA requested a management review of this office. The comprehensive review of the criminal program covered both programmatic and organizational issues.	The review led to recommendations regarding the organizational and management processes, and structure of the criminal enforcement program. Major recommendations included: developing closer strategic relationships with the civil enforcement throughout EPA; developing new performance measures for assessing program performance, reassessing the balance between more routine and more complex criminal enforcement investigations; transferring some functions to outside offices; and developing an explicit personnel policy regarding the hiring, promotion, and reassignment of agents.	Most of the review's recommendations were accepted by OECA's senior management and are currently being implemented.	U.S Environmental Protection Agency Office of Criminal Enforcement, Forensics and Training December 15, 2003 Available at: http://www.epa.gov/oeca/resources/reports/review/oceft-managementreview.pdf

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Goal 5, Objective 2  Encouraging EMS: Lessons Learned from a Sector Approach  The purpose of this evaluation was to:  — Provide advice to EPA, states, and other technical assistance providers (TAP) about the most cost-effective way to promote Environmental Management Systems (EMS) in industry sectors.	The evaluation found:  The elements that were consistently agreed upon as valuable across the sectors were the sector-specific EMS implementation guides and sharing with peers. Also deemed valuable, but slightly less so, were instructor-led training workshops, online communication tools, EMS document review by TAPs, and on-site assistance.  Small and medium-sized businesses highly value getting feedback from and working with their peers. Large businesses value one-onone assistance much more than working in groups. Large businesses are also much more likely to see value in being recognized by their state or EPA.	— EPA Region I (Boston) will	U.S. Environmental Protection Agency Office of Policy, Economics, and Innovation "Encouraging EMS" EPA 100-R-04-002 June 2004 Available by request through the Evaluation Support Division: http://www.epa.gov/sectors
Goal 5, Objective 2  Evaluation of Environmental Management System (EMS) Pilots in K-12 Schools  The purpose of this evaluation was to:  — Collect and assess data that identify the benefits, costs, and challenges related to EMS development and implementation.  — Determine whether the pilots are transferable to schools more broadly.	<ul> <li>The evaluation's findings:</li> <li>Outline pilot efforts' performance thus far.</li> <li>Assess the satisfaction of participating K-I2 schools.</li> <li>Consider and integrate experiences with other school EMS efforts.</li> <li>Identify lessons for promoting future EMS use in the schools sector.</li> </ul>	— EPA Region I (Boston) will address mid-course correction to the pilots and will consider elements that can be more broadly transferable to other school sectors.	U.S. Environmental Protection Agency  New England Region (Boston)  October 2004  Available by request through the Evaluation Support Division: http://www.epa.gov/ sectors
Goal 5, Objective 2  Significant Modifications Needed to Ensure Success of Fort Worth Asbestos Demolition Method  The purpose of this evaluation was to answer specific questions that address:  — How the design and methodology of the	The evaluation found:  — The current design and methodology of the Fort Worth Method are not adequate to demonstrate protection of human health and the environment.  — Significant modifications to the design and methodology will be necessary for EPA to ensure that the data generated and used to evaluate this project will be valid. The adequacy of the ambient air	— The EPA Innovation Action Council recommended moving forward to Phase II, provided that certain conditions were addressed, including that the Fort Worth Method and the Quality Assurance Project Plan for Phase II be peer reviewed. Further, City of Fort Worth officials met with Agency and OIG officials and provided additional documenta- tion, including a revised method.	EPA Office of the Inspector General Report No. 2004-P-00002 December 19, 2003 Available at: http://www.epa.gov/oig/reports/2003/20031219-2004-p-00002.pdf

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Fort Worth Method could be improved.  — How EPA could improve its oversight of this project and other Innovation proposals.	monitoring that would take place during Phase II and the Phase II proposal have not been independently peer reviewed to ensure that they are based on sound science.  — Although initially proposed in September 1999, the Fort Worth Method does not yet meet EPA's Project XL criteria of superior environmental performance, appropriate regulatory flexibility, adequate stakeholder involvement, or transferability.  — EPA's oversight to date has not ensured that the Fort Worth Method-Phase II proposal will allow the Agency to reach valid conclusions on the effectiveness of this alternative demolition technique for each type of asbestos.	— EPA Region 6 has reported that the City of Fort Worth is fully supportive of the need to meet the requirements under Project XL.	
Supporting Achievement of Environmental Results  EPA Needs to Better Manage Counter-terror- ism/Emergency Response Equipment.  The purpose of this report was to:  — Determine whether EPA has adequate processes for identi- fying, obtaining, maintaining, deploy- ing, and tracking equipment needed to respond to ter- rorist acts and Nationally Significant Incidents (events that may exceed the resources of a single EPA region).	OIG found:  — EPA has complied with the Federal Acquisitions Regulation when purchasing Counter-Terrorism/Emergency Response equipment, and has an adequate process for moving equipment. However, EPA does not have adequate processes for identifying, obtaining, maintaining, and tracking equipment needed to respond to terrorist acts and Nationally Significant Incidents.  — EPA leadership did not move expeditiously to develop sufficient Agency capability and capacity to respond to the consequences of a major terrorist act or Nationally Significant Incident.	— EPA generally agrees with the recommendations made in the report and has work underway to implement many of them.	EPA Office of the Inspector General Report No. 2004-P-000II, March 29, 2004 http://www.epa.gov/oigearth/reports/2004/2004_P_000II.pdf
Supporting Achievement of Environmental Results  EPA's Computer Security Self-Assessment Process Needs Improvement  The purpose of this report was to examine	<ul> <li>OIG reported:</li> <li>Self-assessments contain unreliable data.</li> <li>Systems inventory is incomplete.</li> <li>Greater oversight of certification/accreditation is needed.</li> <li>Security plans are not sufficient.</li> </ul>	<ul> <li>EPA has fully responded by implementing corrective actions for all areas identified in this audit.</li> <li>Testing and evaluation plans have been expanded and are being implemented, and milestones for full Agency compliance to NIST 800-18 were provided.</li> </ul>	EPA Office of the Inspector General Report No. 2003-P- 00017 September 30, 2003

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policies, procedures, and practices regarding EPA's self-assessments of major applications and general support systems.		<ul> <li>Notified system owners to add required materials to the web- based Automated Security Self-Evaluation and Reporting Tool.</li> </ul>	Available at: http://www.epa.gov/ oigearth/reports/2003/ 2003p00017- 20030930.pdf
Supporting Achievement of Environmental Results  EPA's Homeland Security Role to Protect Air from Terrorist Threats Needs to Be Better Defined  The purpose of this report was to identify how effectively EPA is fulfilling its homeland security role and responsibilities, specifically in protecting the air from chemical or biological terrorism.	OIG reported:  — EPA does not have clear statutory authority to establish and enforce health-based regulatory standards for indoor air.  — EPA's Office of Homeland Security does not have a framework in place to carry out its responsibilities as designated by the Administrator.  — EPA's homeland security roles and responsibilities related to air protection are limited and not sufficiently defined to enable EPA to be prepared for future events.	<ul> <li>EPA will clarify its future role and responsibilities to enable it to properly prioritize and commit resources to its traditional and homeland security missions.</li> <li>EPA will clarify the roles and responsibilities of its Office of Homeland Security and the distinction between the responsibilities delegated to that office versus those that remain with EPA's program and regional offices.</li> <li>EPA remains committed to actively implementing responsibilities that are clearly delegated to EPA pursuant to Homeland Security Presidential Directives and national response plans and structures.</li> </ul>	EPA Office of the Inspector General Report No. 2004-M-000005 February 20, 2004 Available at: http://www.epa.gov/oig/reports/2004/20040220-2004-m-000005.pdf